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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

FCC - MAIL ROOM

In the Matter of

Amendment of Section 90.239 of the)
Commission's Rules to Adopt Permanent)
Regulations for Automatic Vehicle)
Monitoring Systems)

PR 93-61
RM. No. 8013**Motion To Accept Late Filed Comments of ROLM**

In accordance with Section 1.46 of the Federal Communication Commission's Rules, ROLM respectfully requests that the attached comments, relating to the above captioned proceeding, be accepted as part of the record.

Even though ROLM had spoken with the petitioner - PacTel Teletracs - in this proceeding in December 1992 regarding this service, ROLM has only recently become aware of this notice through association with companies whose products would be affected by this proceeding. ROLM's tardiness was compounded by our active participation in the Commission's Emerging Technologies proceedings¹.

It is ROLM's belief that a re-alignment of any rules which would impact Part 15 of the Code of Federal Regulations², would have significant bearing on various companies' plans for providing radio-based communications. Therefore, it is prudent of the Commission to have a record for this rule making, that is complete as possible.

Respectfully submitted,



Steven Sivitz
Program Manager - Wireless Systems
ROLM
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February 1, 1993

¹ Amendment of the Commission's Rules to Establish New Personal Communications Services Gen. Docket No. 90-314, ET Docket No. 92-100, RM.-7140, RM.-7175 and RM.-7618.

² Code of Federal Regulations, Title 47, Part 15.

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Comments of ROLM

I. Introduction

As a matter of background, ROLM is the third largest manufacturer of private business communications systems in the United States and is a wholly owned subsidiary of Siemens AG, the world's largest provider of private business communication systems. ROLM has been an active participant in the Commission's deliberations focused on the emerging technologies¹ for personal communications services (PCS). With this vested interest in radio-based communications, ROLM believes it can provide valuable commentary on the above captioned proceeding.

II. Discussion

The single most pressing issue within the PCS docket is the frequency allocation. As the Commission continues to ponder the various allocation options, there have been product deployment plans initiated using Part 15.247 or 15.249 as a foundation². These products take advantage of the low power criteria for unlicensed operation. For some companies these products are an important interim offering, for others they are the core business. Regardless of which category they may fall into, substantial corporate resources have been

¹ Amendment of the Commission's Rules to Establish New Personal Communications Services Gen. Docket No. 90-314, ET Docket No. 92-100, RM.-7140, RM.-7175 and RM.-7618; and Redevelopment of Spectrum to Encourage Innovation in the Use of New Telecommunications Technologies, ET Docket No. 92-9.

² Representative companies having announced either voice or data products are AT&T, Cobra, Cylink, NCR, Rose Communications, Spectralink and V-Tech. ROLM is aware of others, but due to nondisclosure agreements is prohibited from revealing these.

invested in these products, some of which will be the basis for migrating to 2 GHz PCS products and services.

ROLM is concerned that a definitive rule making, such as that proposed by the petitioners³, governing automatic vehicle monitoring (AVM), under Part 90.239, will have a serious detrimental effect on the performance of current and future Part 15 unlicensed devices. The Petition calls for licensing AVM systems with output power greater than 100 watts, covering vast geographical regions around major metropolitan areas. The valid concern is the interference potential of these high power systems with low power (under 1 watt) Part 15 devices. By establishing a ruling to the advantage of the proposed AVM service, will the Commission be sacrificing other wireless services also deemed beneficial to business, government and the general public?

In addition to the interference issue, further rationale for delaying a decision on AVM is its possible inclusion under the context of the PCS activities. With PCS being defined by the Commission as:

"a family of services that would include services other than voice, such as data, imaging, and other new services"⁴.

AVM could certainly be included under this description. Questions regarding size of service areas and the number of licensees have to be resolved within both agendas. Therefore, the FCC may best serve the public interest by evaluating AVM as a corollary to its PCS dockets.

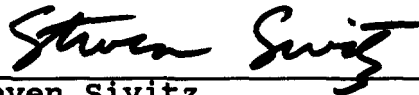
³ Petition for Rule Making, Amendment of Section 90.239 of the Commission's Rules to Adopt Permanent Regulations for Automatic Vehicle Monitoring Systems, by North American Teletrac and Location Technologies, Inc., RM. - 8013.

⁴ Policy Statement and Order, GEN Docket No. 90-314; and Amendment of the Commission's Rules to Establish New Personal Communications Services Gen. Docket No. 90-314, ET Docket No. 92-100, RM.-7140, RM.-7175 and RM.-7618.

III. Conclusion

There should be no rush to judgment on the AVM Petition. It is requested that the FCC initiate a Notice of Inquiry soliciting the perspectives of all parties interested in Parts 15, 90 or PCS, in order that the regulatory record be complete and balanced.

Respectfully submitted,

A handwritten signature in cursive script, reading "Steven Sivitz".

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